IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 20811 of 2007(C)

AS.115/2002 of DISTRICT COURT, ALAPPUZHA
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PETITIONER:
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1. KUNJUNNI CHAKRAPANI,
KANNIMEL PURAYIDAM (JAKRIAPARAMBU),
KAITHAVANA, ALAPPUZHA.

2. INDIRA,
KANNIMEL PURAYIDAM (JAKRIAPARAMBU),
KAITHAVANA, ALAPPUZHA.

BY ADV. SMT.C.G.BINDU
SMT.C.G.AJITHA

RESPONDENTS:
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1. P.RAJU,
JAKRIAPARAMBU, PAZHAVEEDU VILLAGE,
KAITHAVANA, ALAPPUZHA.

2. SASIKALA,
JAKRIAPARAMBU, PAZHAVEEDU VILLAGE,
KAITHAVANA, ALAPPUZHA.

3. B.SUDHEENDRAN,
RANDUTHENGIL VEEDU, THIRUVAMPADI,
ALAPPUZHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.C.NO. 20811 OF 2007

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Dated this the 6th Day of July, 2007.

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J U D G M E N T

This Writ Petition is filed to direct the Lok Adalath to appoint a surveyor and to measure the property of the petitioner in order to construct a permanent compound wall. There was a civil suit pending between the parties and when the matter reached the appellate stage, it was referred to the Adalath for settlement and the parties and their respective counsel had settled the matter and Lok Adalath had passed an award. A reading of the award would show that Adalath had appointed Adv. Vigi.S.Mani as commissioner for supervising and to give directions so as to enable the parties to have a proper compound wall separating the properties. The court has also fixed a remuneration for the commissioner. If there is any difficulty for the commissioner in doing the work it is for the commissioner to tell the authority which passed the award and seek for the assistance of a village or taluk surveyor as the case may be. This court cannot interfere with the award or appoint taluk surveyor so as to unsettle the

dispute which has been already settled between the parties. Therefore the appropriate remedy for the petitioner herein is to see that work is properly done by the commissioner and if there is any objections it may be placed before him so that he may appraise the authority under whose direction is to be implemented.

The Writ Petition is disposed of accordingly.

M.N.KRISHNAN
JUDGE

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